

Economic Development and Jobs Creation Committee

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ECONOMIC DEVELOPMENT AND JOBS CREATION COMMITTEE

LEGISLATION ENACTED

contractors; internal references; technical correction (S.B. 1085) – Chapter 62 E

An emergency measure, effective April 12, 2011, that corrects internal references contained in Arizona's Prompt Pay Act.

board of appraisal; disciplinary proceedings (S.B. 1180) – Chapter 67

Permits the Arizona State Board of Appraisal to proceed with investigative action against a licensee regardless of license lapsing or suspension. Limits the timeframe for investigative action to no more than 24 months after the expiration of the license or certificate. Requires applicants to provide evidence of continued education for reinstatement of a suspended license or certificate.

registrar of contractors; arbitration (S.B. 1284) – Chapter 250

Allows, after the Registrar of Contractors (ROC) issues a corrective work order, a complaint to be referred to arbitration if the cost of repairs is \$5,000 or less or if requested by the contesting parties. Outlines the arbitration process, including certain timelines. Allows a licensed contractor to post a bond in the amount of the estimated cost of repairs. If a contractor refuses or is unable to comply with the determination, the ROC may order the cash bond to be discharged. The complainant then is ineligible for any additional award from the Residential Contractors' Recovery Fund (Recovery Fund) or through civil court. Allows the ROC to suspend or revoke the contractor's license if no bond was posted by the contractor. Repeals language that allowed additional payment assessments to the Recovery Fund.

landlords; tenants; bedbug control (S.B. 1306) – Chapter 191

Establishes requirements for landlord and tenant bedbug infestation control. Regarding landlords: a) requires a landlord to provide educational information regarding bedbugs to a tenant and b) prohibits a landlord from knowingly leasing a bedbug infested dwelling. Regarding tenants: a) requires a tenant to notify the landlord in writing of bedbug infestation and b) prohibits a tenant from knowingly moving infested materials into a dwelling.

manufactured housing; escrow account (S.B. 1423) – Chapter 239

Beginning July 1, 2012, requires licensed dealers or brokers to create independent escrow accounts for certain manufactured housing sales and outlines account requirements, funding and disciplinary actions. Allows a purchaser to request a dealer or broker to establish an independent escrow account for all other manufactured housing sales. Modifies deposit requirements to the Consumer Recovery Fund.

liquor licenses; records (NOW: liquor omnibus) (S.B. 1460) – Chapter 165

Makes various changes related to liquor licenses and the Arizona Department of Liquor Licenses and Control (DLLC). The provisions include, but are not limited to, the following:

Revises regulations for proposed liquor licenses, which includes increasing the time a natural person has to file a protest for a proposed liquor license and outlining written protest and argument requirements for corporations and neighborhood associations.

Creates the rebuttable presumption that the public convenience and best interest of the community is met by a new license if there is already a liquor license issued for that location. Increases, from 15 to 30, the number of days a person must notify the Director of the DLLC (Director) after acquiring or transferring a license.

Permits the Director to dispose of seized spirituous liquor by providing it to law enforcement, for training purposes only. Allows a licensed wholesaler to donate spirituous liquor directly to an organization that has a special event license. Increases, from \$100 to \$500, the dollar amount of liquor a distiller, brewer or wholesaler may donate to a nonprofit organization.

Prohibits a bar license or a beer and wine bar license from being issued or used if the associated off-sale use, by total retail liquor sales, exceeds 40 percent of the sales price of on-sale liquor by the licensee.

Retroactive to January 1, 2011, allows the Director to issue a beer and wine store license to the holder of a bar license simultaneously at the same premises. Also retroactive to January 1, 2011, allows an applicant or licensee of a beer and wine store license to apply for sampling privileges.

Allows, to the extent permitted by federal law, military members to import more than one liter of liquor for their personal use into Arizona.

Removes a population threshold, thereby prohibiting all cities and towns, regardless of the population, from discriminating against hospitality industry businesses.

Until January 1, 2015, provides the Director the ability to charge a fee for: a) site inspections before issuing a restaurant license, b) processing applications for sampling privileges, c) reviewing floor plans submitted by a licensee and d) inspecting unlicensed premises. As session law, allocates monies received from these newly created fees to the DLLC.